

### **REMARKS**

This responds to the Office Action dated August 8, 2007.

Claims 1, 4, 5, 15, 18, and 20 are amended, claims 2-3, 11, 16-17, 35, and 41 have been canceled, and no claims are added; as a result, claims 1, 4-10, 12-15, 18-34, and 36-40 are now pending in this application.

#### **§102 Rejection of the Claims**

Claims 1, 15 and 41 were rejected under 35 U.S.C. § 102(e) for anticipation by Hadad (U.S. Patent No. 6,985,432 B1).

Claims 1, 15 and 41 were rejected under 35 U.S.C. § 102(a) for anticipation by Keevil et al. (U.S. Patent Application Publication No. 2003/-142764 A1).

The Office Action indicated that claims 3-7 and 17-22 would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claim. The Applicant has canceled claim 3 and incorporated all the limitations of claim 3 into claim 1. The Applicant respectfully submits that claim 1 and all claims dependent on claim 1 (claims 4-9) are now allowable. Similarly, the Applicant has canceled claim 17 and incorporated all the limitations of claim 17 into claim 15. The Applicant respectfully submits that claim 15 and all the claims dependent on claim 15 (claims 18-22) are now allowable.

#### **§103 Rejection of the Claims**

Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hadad (U.S. Patent No. 6,985,432 B1) as applied to claim 1 above, and further in view of Sawahashi et al. (U.S. Patent No. 5,694,388).

Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Keevil et al. (U.S. Patent Application Publication No. 2003/-142764 A1) as applied to claim 1 above, and further in view of Sawahashi et al. (U.S. Patent No. 5,694,388).

As indicated above, claims 8 and 9 are dependent on amended claim 1, and the Applicant respectfully submits that claims 8 and 9 are now allowable.

Allowable Subject Matter

The Applicant gratefully acknowledges the indication in the Office Action that claims 10, 12-14, 22-34 and 36-40 were allowed.

**RESERVATION OF RIGHTS**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2140 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

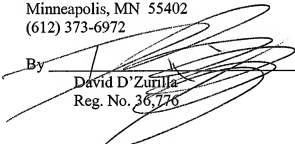
Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6972

Date

October 8 2007

By

  
David D'Zurilla  
Reg. No. 36,776

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8 day of October 2007.

Name -

John S. Kuster-Wadell

Signature

